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C O N F I D E N T I A L SECTION 01 OF 03 BAGHDAD 002536

SIPDIS

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SUBJECT: SUNNI LEADERS ON CONSTITUTION DRAFTING

Classified By: Classified by David M. Satterfield, Deputy Chief of Miss

ion, for reasons 1.4 (b) and (d).

1. (C) Summary: Sunni Arab leaders will meet members of the TNA constitution committee on June 16 but appear unprepared to settle the dispute over their inclusion. Both UNAMI SRSG Ashraf Qazi and embassy pushed for 15 additional representatives in separate meetings with Sunni Arab leaders June 15, but no agreement has yet been reached on numbers. The Iraqi Islamic Party and National Dialogue Council are leading two rival blocs of Sunni Arab delegates, but at the moment only the former group is signaling seriousness about joining the process. More hopefully, a group of leaders allied with the Sunni Waqf told PolOff they were ready to present a unified list of nominees immediately if the USG would meet them halfway. They dropped their demand from 25 to 20 additional representatives. They took no solace from U.S. support for "consensus" decision-making in the committee. They were convinced that the constitutional commission would deadlock on federalism and they said they needed to have the votes when it did. End summary.

2. (C) Embassy continued rounds of contacts with Sunni Arab leaders on the principle of inclusion in the constitution drafting process. Sunni Arab leaders met together on the evening of June 14 and 15 and one delegation also visited Muslim Ulema Council leader Harith al-Dari. They are set to meet at 1000 local time on June 16 in an expanded meeting with Adnan al-Janabi and other representatives of the constitution committee to review their progress. Substantive arguments aside, much of what we are seeing now is intra-Sunni jockeying for position pre-election. That's all for the good. But it greatly complicates our ability to move the Sunnis to a coherent and acceptable "yes" on the constitutional drafting process.

Sunnis Allied with Waqf Make a Stand at 20

3. (C) A group of Sunnis allied with the Waqf and Islamic Party would not accept less than 20 additional representatives in a two-hour long meeting with PolOff June 15. The three men represented the leadership of the "United Iraqi Congress," an umbrella group of 30-plus smaller Sunni parties and tribal shaykhs that actually participated in the January elections. The group, running as the United Assembly of Mosul Tribes, won 2 seats on the Ninewa Provincial Council and 18,000 votes in the national elections, about the equivalent of half a seat in the body. They are close to Hatem al-Mukhlis and stated their allegiance to Sunni Waqf head Adnan al-Dulaymi, warning that his removal would be a mistake at this moment. Mosul Shaykh Anwar al-Nada lead the group, accompanied by his deputy Muhammad Shahab al-Dulaymi, of Ramadi, and political advisor Farman Aziz, also of Mosul.

4. (C) All three men -- sounding a theme we are hearing from others -- were wracked with anxiety that the Shi'a and Kurds are conspiring to all but divide Iraq under the guise of federalism in the constitution. They said they wanted to work by &consensus8 and appreciate U.S. support for the principle, but they believe consensus will be impossible to achieve. Therefore, they said, the constitutional debate is bound to come to vote inside the committee/commission, and they want to make sure they have the votes when that day arrives. They say the Kurds are already forbidding Arabs from entering northern Iraq -- a claim our Kirkuk RC has found valid on occasion. These Sunni Arab leaders also believe that they represent 40 percent of the population -- six provinces -- and are already compromising by dropping to 25.

5. (C) PolOff offered them three paths to a compromise, but they were not biting:

-- PolOff pointed out that the U.S. is committed to the principle of consensus and is determined that no party be left out or ganged up on in the drafting process. The U.S. is also opposed to the division of Iraq and committed to a pluralistic, unified and democratic new Iraq. The United Iraqi Congress members urged the U.S. to find a way to make its commitment to Iraq's unity more public. They suggested that President Bush make remarks to that end to allay Sunni Arab fears heading into the drafting process. However, they still wanted 25 additional representatives.

-- PolOff offered that the U.S. is interested in finding a compromise within this compromise. If the Sunnis compromise on 15 additional full members, perhaps a greater number can then be brought in as experts and advisors on subcommittees. Perhaps the Sunnis can call for a constitution that is especially open to amendment in its early test years. Perhaps higher-level U.S. officials could make assurances on consensus and integration for all additional members. Here too, the audience reacted with interest but said that they would not risk going to a vote without the numbers. In a slight compromise, they offered to make sure that Shi'a and Kurds were on their list of additions to the committee, not only Sunnis. However, they seemed to know as they said this that the Shi'a and Kurds would not trust those delegates any more than the Sunnis would trust delegates chosen for them.

-- PolOff urged the group to prioritize its goals and not sacrifice more important causes over a minor dispute over numbers. The real keys to the future of the Sunni community are holding new elections on time, avoiding a six-month delay, and deepening the U.S. relationship. Finding a compromise on the constitution committee would allow them to achieve those other goals. They nodded, smiled, and said they would simply have to withdraw if given less than 25.

-- Lastly, PolOff questioned the group's attachment to numbers when the referendum, not the commission or the TNA, will ultimately determine the fate of the constitution. If the Sunnis control six provinces, as they claimed, then they will always have the ability to vote down a draft they do not like. They might as well participate to try to avoid that scenario. Here it was clear that our interlocutors were not so sure they could marshal the numbers to vote down the document. They were also convinced that voter fraud and militia groups would prevent Sunnis from getting to the polls to vote down a constitutional referendum.

16. (C) The closest thing to a movement came as the final cups of coffee were served and the meeting approached its last half-hour. Sunni figures said they would drop their demand from 25 to 20, aligning themselves with a compromise we have already heard from the Iraqi Islamic Party and Sunni Waqf. They promised to convey the USG ideas to their committee but said they would settle the deal on the spot for 20 additions and want a "green light" to go forward. PolOff offered no green light and said that, with a difference so narrow, the group should make the final step rather than sacrifice a historic drafting process and revived US-relationship over a few names. The men only nodded sadly and responded that the Sunnis already have prepared a joint list of 20 candidates that could be put forward immediately. They said that every group participated in its formulation except the National Dialogue Council, which they doubted would participate in any event. (PolOff has, in fact, seen a copy of the list of 25 names that was prepared by Adnan al-Dulaimi).

Only A Non-Interference Pledge from the Dialogue Council

17. (C) EmbOff held a separate meeting with Salah Mutlak of the National Dialogue Council and won only a pledge of non-interference if other groups bow to the number fifteen. Mutlak said he would not block other groups from supporting that number but would not participate in the process in that case. Instead, he would work on a political campaign for the next elections that would sell his party as one unsullied by what he believes will be a disappointing constitution drafting experience. Mutlak's mind was already clearly on the next elections and he laid out a plan to join forces in the next government with Iyad Allawi after running separately in the elections. Mutlak said he planned to explore ways to make sure that the constitution is open to amendment at a time when politics are less sectarian.

18. (C) Despite his assurances of non-interference, Mutlak was still contemplating ways to influence the Sunni representation in the process. He recommended the idea of UN mediation to resolve the dispute on numbers, a non-starter for Shi'a Arabs. He also said that, whatever number is chosen, the delegates should be nominated in two concurrent processes. Major Sunni groups meeting in Baghdad should choose 60-70 percent of the names and quick conferences in the provinces could produce the remaining 30-40 percent. Mutlak was clearly convinced that his allies would fair well in provincial conferences. He claimed that he himself had been welcomed with fanfare and elected "chairman" at such an assembly in Diyala on June 14. He said other such conferences were in the works in the near future in Ramadi and Mosul, and he expected both to produce victories for his party and defeats for the Iraqi Islamic Party.

Comment

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19. (C) Clearly, we are still not at a deal. The National Dialogue Council is presenting itself as not interested in inclusion, but our Shia and Kurd interlocutors believe the Council will ultimately join -- if we continue to work over Mutlak. The Sunni Waqf group is serious but fears that the Shi'a and Kurds are conspiring on a federalism plan that will divide Iraq. More significantly, Sunni Waqf leader Dulaymi is ready to move if PM Jafari - now approved by the Cabinet to remove him office. Dulaymi, we are told is outbidding his Sunni rivals over the issue of numbers to demonstrate his "Sunni" credentials and thus make his removal more difficult.

Indeed, we believe much of the debate on numbers 25-20-15 Sunnis (or points in between) has far more to do with the struggle for leadership within the Sunni community than it does genuine moves related to the constitution. The good news here is that virtually all of the key Sunni figures we are dealing with believe elections are coming and are maneuvering to position themselves for the vote. The bad news is that this maneuvering greatly complicates our ability to get them to a "yes" on joining the constitution drafting process that is acceptable to their Shia and Kurdish partners. Our best course for now is to stay focused on pressing for 15 as a reasonable outcome, and avoid entering the Sunni political souq. We will consider other options if this directive strategy does not achieve success in the near future. End comment.

10. (U) REO HILLA, REO BASRA, REO MOSUL, and REO KIRKUK, minimize considered.

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